



036140/US - 475387-00020 PATENT

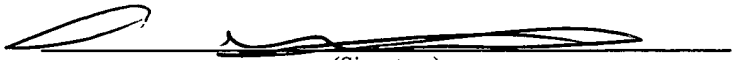
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.
Serial No. : 10/765,430
Filed : January 26, 2004
Entitled : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING
LOW-COHERENCE INTERFEROMETRY
Group Art Unit : 3737
Examiner : To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S.
mail addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on this day of August 25, 2006.


(Signature)
Gary Abelev, Esq.

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449, and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT, foreign and non-patent references are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under

United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This submission is being filed before any action by the U.S. Patent and Trademark Office on the merits. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 50-2054.

Respectfully submitted,

DORSEY & WHITNEY, LLP



Gary Abelev
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Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
036140/US - 475387-00020

Serial No.
10/765,430

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Applicant(s)
Guillermo J. Tearney et al.

Filing Date
January 26, 2004

Group
3737



U.S. PATENT DOCUMENTS

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
2004	0 1 5 0 8 2 9	August 5, 2004	Koch et al.			
	5 3 0 5 7 5 9	April 26, 1994	Kaneko et al.***			
	6 2 6 3 2 3 4	July 17, 2001	Engelhardt et al.***			

FOREIGN PATENT DOCUMENT

Document No.	Date	Country	Class	SubClass	Translator Yes No
9 8 1 4 1 3 2	April 9, 1998	WIPO***			
9 8 4 8 8 3 8	November 5, 1998	WIPO***			
4 1 3 5 5 5 0	May 11, 1992	Japan ***			
4 1 3 5 5 5 1	May 11, 1992	Japan ***			

*** References cited in Japanese Patent Application No. 2002-538830

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

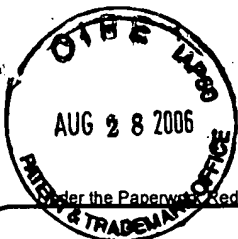
	Notice of Reasons for Rejection and English translation for Japanese Patent Application No. 2002-538830
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4843-5744-7681\1

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



TFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/765,430
Filing Date	January 26, 2004
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	To be assigned
Attorney Docket Number	036140/US - 475387-00020

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 form with references and Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	August 25, 2006	Reg. No.	Reg. No. 40,479

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Gary Abelev, Esq.	Date	August 25, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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